

April 18, 2005

(*) SECOND REQUEST: 05-05-05
(*) THIRD REQUEST: 05-25-05

Box 1218
Shirley, MA 01464

U.S. DISTRICT COURT
DISTRICT OF MASS

United States District Court
District of Massachusetts
One Courthouse Way
Boston, MA 02210

2005 MAY 25 P 12:54

RE: Case No. 1:05-cv-10300

Dear Clerk:

The prisoner-petitioner in this matter seeks the assistance of Justice Zobel's law clerks, which will advance his knowledge to better respond or plead. He does not wish to be a burden of the court in any respect. Your efforts in this will be sincerely appreciated and I would pass the information on to my fellow inmates, since I am a Law Clerk III trained by the Department of Correction.

In one aspect of the court's adjudications I noted that the Orders contained in determinations of February 23rd and March 29th past are unsigned by Judge Zobel, although her name is typed thereon. Just prior to the typed name there appears an "/s/," which I construe to be the law clerk authorized to effect the decision. Does this identify the law clerk doing so and is he or she effecting such decision on behalf of the Clerk of the Court?

The AEDPA, relative to 28 U.S.C.A. § 2254, and as defined in § 2244(d), imposing a one-year statute of limitations on the petitioner, starts from the final adjudication in state court. Said date was February 2, 2005 when my further appellate review (FAR) was denied. Exactly 97 days will have lapsed on the date, May 18th next, the respondent is required to answer. Therefore, any request for an enlargement of time by the respondent shall be duly opposed by me, especially in light of my mandated supplemental pleading. Moreover, prejudice in this respect of time attaches to such an extension. Why then, in consideration of my being disadvantaged as such, will a stay not also attach?

Again, the respondent has until May 18th next in which to plead responsive. When can I expect the court's determinations as to my own pleadings already submitted: (1) assignment of counsel, (2) to proceed in forms pauperis (ifp) and (3) an evidentiary hearing?

Thank you in advance for your assistance and cooperation in my request. I am sure, as you are au courant with the law, that you keep an open mind in all matters dealing with criminal convictions. And for that, I am grateful.

Very truly yours,

Rosario Guzzi, pro se
W-63283
MCI Shirley Medium

cc: file